

**UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK**

----- X

**IN RE METHYL TERTIARY BUTYL  
ETHER PRODUCTS LIABILITY  
LITIGATION**

Master File No. 1:00-1898  
MDL 1358 (SAS)  
M21-88

**This document pertains to:**

All cases

----- X

**DECLARATION OF  
PAUL J. STENDARDI  
IN OPPOSITION TO  
GETTY PROPERTIES  
CORP.'S MOTION FOR  
SUMMARY JUDGMENT**

Paul J. Stendardi, declares the following, under the penalties of perjury:

1. I am Director of Terminals and Transportation for defendant Getty Petroleum Marketing Inc. ("GPMI") and, as such, I am fully familiar with the facts and circumstances set forth herein. I have been employed by GPMI since March, 1997 and was previously employed by Getty Petroleum Corp. from September 6, 1988 to the GPMI spin off in 1997.

2. I submit this declaration in opposition to Getty Properties Corp.'s motion for summary judgment to dismiss the complaints in all pending MTBE lawsuits included in this MDL litigation.

3. Attached as GPMI Exhibit "12" is a copy of

(1) a spreadsheet which lists the former Getty Petroleum Corp. service station and terminal properties that were closed, sold or otherwise disposed of prior to the GPMI spin off transaction in February, 1997 (none of these sites were leased to GPMI by Getty Properties Corp.);

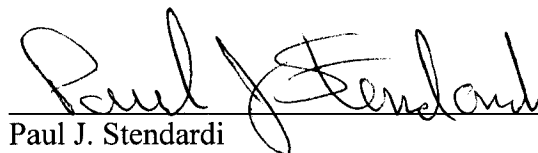
and

(2) a spreadsheet which lists the service station and terminal properties that were closed, sold or otherwise disposed of after the spin off transaction and before the November 2, 2000 Lukoil transaction.

4. The aforesaid spreadsheets are accurate and were prepared at my direction from electronic business records created and maintained by GPMI in the ordinary course of its business.

5. These records reflect that approximately 1000 former Getty service station or terminal properties were closed, sold or otherwise disposed of during the indicated time periods.

Dated: July 17, 2008

  
Paul J. Stendardi